

Defense Attacks Documents' Value In Viet Spy Case

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Defense attorneys in the espionage trial of Ronald Humphrey and David Truong have sought to cast doubt on the real value of documents allegedly transmitted to Vietnam and on the claim that their transmission would have damaged the national security of the United States.

Humphrey, a former U.S. Information Agency employee, and Truong, a native of Vietnam, are on trial in U.S. District Court in Alexandria on seven charges of conspiracy and espionage.

Mark Foster, who represents Humphrey, questioned FBI Special Agent Donald Marsland yesterday. Marsland testified that a State Department "damage estimate" concluded there was little of a sensitive nature in 61 of the cables. Marsland said that the "damage estimate" was made by James Rosenthal, then the State Department's country director for Vietnam, Laos and Cambodia.

Defense attorney Michael E. Tigar, who represents Truong, said, "If the damage estimate was accurate, that means the case wasn't as important as you (the FBI) thought it was."

THE FBI MAN SAID he asked the State Department to make a new evaluation of the damage to U.S. foreign relations, and that several new "damage estimates" were made.

These damage estimates have not been made public but some of the nature of the cables was revealed in cross-examination.

The value factor of the documents sent to the Vietnamese would be important if Humphrey, 42, and Truong, 32, were found guilty. Federal law calls for punishment of up to two years in prison and a fine of \$10,000 if the documents involved are worth more than \$100. But for property valued at less than \$100, the maximum penalty would be one year and a \$1,000 fine.

Foster showed the witness one of the cables, apparently from Bangkok, and said it purported to show what the Thai press said about border incidents. It also referred to a Foreign Ministry official confirming the news report. "What value would you put on this document?" he asked.

"THIS COULD BE worth more than \$100," said Marsland.

The defense attorney showed Marsland a cable reciting what the Wall Street Journal had to say about Vietnam's laws on foreign investment and asked what its worth was. The FBI man said, "Personally, I wouldn't be interested in this cable. Less than \$100."

The defense then pressed Marsland about the value of another cable dealing with Vietnam's relations with China and Russia. When Foster asked the FBI man what it was worth, Marsland said, "It is of value to counter-intelligence people to know that the U.S. has a third-world source in Hanoi. I'd pay more than \$100 for this one."

Ambassador John E. Reinhardt, head of the International Communications Agency (formerly USIA), testified that he did not know Humphrey although he recognized him from seeing him at work before the arrest. He denied that he had ever directed Humphrey to keep track of Vietnamese developments.

REINHARDT TESTIFIED after Raymond Harvey, an ICA historian, testified that Humphrey had told him Reinhardt had ordered Humphrey to do that. Harvey said he did not question the statement because Humphrey was cleared to see classified cables, and he periodically gave Humphrey access to messages relating to Vietnam.

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